



United States
Department of
Agriculture

Forest
Service

Pike and San Isabel
National Forests
Cimarron and Comanche
National Grasslands

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Dear Interested Party,

The San Isabel National Forest – Salida Ranger District is considering a land exchange proposal between the Colorado State Land Board, James L. Treat, Thomas H. Smith, Thomas K. and Sue L. Murphy, and Brock E. Oyler (represented by Western Land Group, Inc. of Denver, Colorado), and the Forest Service; the exchange proposal is referred to as the **Salida Land Exchange**. The primary purpose of the exchange would be to acquire the 320-acre Little Cochetopa State School Trust property located southwest of Poncha Springs, CO, acquire 622 acres of privately-owned inholdings in the Collegiate Range, and to dispose of five Federal parcels located adjacent to private lands. The authority for this exchange of National Forest System (NFS) lands are the Acts of March 20, 1922 as amended (16 U.S.C. 485, 486) and October 21, 1926 (43 U.S.C. 1716).

The National Forest parcels in the proposed exchange include: the 14.10-acre Elk Mountain Ranch parcel located near the Futurity Townsite east of the Browns Canyon Wilderness Study Area, the 522-acre Treat Ranch parcel located northeast of Salida, CO, the 311-acre Smith Ranch parcel located west of Mears Junction/Highway 285 to the south of Poncha Springs, CO, the 399-acre Trout Creek Pass parcel located adjacent to State Land Board property on the west side of U.S. Highways 24/285, and the 0.37-acre Oyler Cabin parcel located north of Maysville, CO. Each Federal parcel abuts private or State of Colorado lands owned by an exchange proponent and will be assembled with the proponent's existing non-Federal lands.

Complete legal descriptions and maps of the proposed exchange parcels are available on the U.S. Forest Service Salida Ranger District web page, located at:

<http://prdp2fs.ess.usda.gov/detail/psicc/landmanagement/projects/?cid=stelpdb5410039>

This proposed land exchange is in compliance with the Land and Resource Management Plan for the Pike-San Isabel National Forest (1984 as amended).

The San Isabel National Forest believes this proposed land exchange is in the public interest for the following reasons;

The *Pike and San Isabel National Forests and Cimarron and Comanche National Grasslands Land and Resource Management Plan* ("Forest Plan" and "Grassland Plan") was issued in 1984. The National Forest Management Act (NFMA) requires that each Forest revise its Plan at least every fifteen years. Stand-alone Land and Resource Management Plans for the Forests and the Grasslands are currently being revised. The proposed Forest Plan was scheduled to be released in the fall of 2008, with the release of the final Plan anticipated in the spring of 2009; however the proposed Forest Plan has not yet been released.

The existing 1984 Forest Plan sets forth Management Area prescriptions which contain management requirements specifying which activities will be implemented to achieve the goals and objectives in specific management areas. The selected and offered lands within the proposed exchange must be evaluated with regard to the theme and desired condition of respective Management Areas.



Although the Forest Plan does not include specific direction toward acquisition or conveyance of land specific to each Management Area, the Forest Plan includes the following Forest-wide Direction with respect to landownership adjustments:

- 1) Acquire rights-of-way on existing Forest System roads and trails that cross private land;
- 2) Insure floodplain and wetland values are approximately equal on both offered and selected tracts in proposed land exchanges or that values are in favor of the United States;
- 3) Classify lands or interest in lands for acquisition where lands are valuable for NFS purposes, according to the following priorities:
 - a. In designated wilderness areas and other congressionally designated areas.
 - b. Where lands or rights-of-way are needed to meet resource management goals and objectives.
 - c. Lands which provide habitat for threatened and endangered species of animals and plants.
 - d. Lands which include floodplains or wetlands.
 - e. On lands having historical or cultural resources, outstanding scenic values, or critical ecosystem, when these resources are threatened by change of use or when management may be enhanced by public ownership.
- 4) Classify lands for disposal according to the following priorities:
 - a. To States, counties, cities, or other Federal agencies when disposal will serve a greater public interest.
 - b. In small parcels intermingled with mineral or homestead patents.
 - c. When suitable for development by the private sector, if development (residential, agricultural, industrial, recreational, etc.) is in the public interest.
 - d. When critical or unique resource (wetlands, floodplains, essential big game winter range, threatened or endangered species habitat, historical or cultural resources, critical ecosystems, etc.) effects are mitigated by reserving interests to protect the resource, or by exchange where other critical resources to be acquired are considered to be of equal or greater value. (p. III – 69-70)

The proposed land exchange is consistent with the planning goals and management direction set forth in the 1984 Forest Plan for the Pike and San Isabel National Forests. Under present management guidelines, Forest Service acquisition of land may occur as provided in several laws to meet specific resource needs such as key recreation tracts, and essential wildlife and threatened or endangered species habitat, and land exchanges may be made for resource needs and management efficiency where it is in the public interest.

The proposed exchange fully complies with the Forest Plan by accomplishing the goals and objectives for the management area direction for each of the parcels as identified in the Plan, as noted below. Future management of the Non-Federal parcels acquired in the exchange would follow the current management area direction designated for the surrounding National Forest as stated in the Forest Plan.

Non-Federal Parcel 1 (State Land Board Parcel):

Non-Federal Parcel 1 is located within Management Area 5B which emphasizes the management of cover and forage on big game winter range. This 320-acre property is located along Little Cochetopa Creek four miles southwest of Poncha Springs, Colorado. Little Cochetopa Creek, a perennial stream, traverses the property from the southwest to the north-central portion of the property. This forested property ranges in elevation from 8,920 feet at the northern boundary where Little Cochetopa Creek leaves the property to 9,400 feet in the southwest corner. A feature known as Dry Lake is located on the eastern boundary of the property.

Acquisition is particularly important because the lands: 1) will provide legal access needed to meet resource management goals and objectives, 2) include floodplains or wetlands associated with the perennial stream, Cochetopa Creek, 3) contains 117 acres of lynx habitat, and 4) have outstanding scenic values, and a critical riparian ecosystem, when these resources are threatened by change of use and when management may be enhanced by public ownership.

Non-Federal Parcels 2 and 3 (Smith – Condor Claim and Keystone Claims Parcel):

The Smith patented mining claims group, totaling 41,313 acres, is located in Management Area 3A which provides opportunity for non-motorized recreation in a non-wilderness, semi-primitive setting. These parcels consist of four patented mining claims located 1.5 miles northwest of Winfield, Colorado. Three of the claims comprising Parcel 3 lie on the steep slopes above Grey Copper Creek at about 13,000 feet elevation. The fourth claim consisting of Non-Federal Parcel 2 traverses Blackbear Creek on more gentle slopes at about 12,000 feet elevation. NFS lands surround Non-Federal Parcels 2 and 3 on all sides and the Collegiate Peaks Wilderness Area lies approximately one mile west.

Acquisition is particularly important because the lands: 1) are very close to a designated wilderness area, 2) have outstanding scenic values threatened by change of use and management may be enhanced by public ownership, 3) are needed to preserve the semi-primitive setting goals and objectives, and 4) provide habitat for the threatened Canadian lynx species.

Non-Federal Parcels 4 through 22 (Treat – Little Johnnie & Romley Claims, Chrysolite Mountain Claims, Pomeroy Gulch Claims, Camilia Placer Claim Parcel, and Garfield Claims Parcels):

Non-Federal Parcels 4 through 19, comprised of the Little Johnnie, Romley, Chrysolite Mountain, Pomeroy Gulch, and Camilia patented mining claim inholdings all totaling 449.486 acres are located in Management Area 2B, which emphasizes outdoor recreation opportunities in a roaded natural and rural setting, including developed recreation facilities and year-round motorized and non-motorized recreation.

Non-Federal Parcels 20, 21, and 22, comprised of the Garfield patented mining claim inholdings totaling 131.065 acres, is located in Management Area 4B which provides management emphasis for wildlife habitat needs and permits dispersed motorized and non-motorized recreation opportunities.

The above Non-Federal Parcels 4 through 22 is comprised of 62 patented mining claims totaling approximately 580.551 acres. Most of these claims exist as contiguous blocks of land which are described below as five groups.

- The Little Johnnie Mining Claims and Romley Mining Claims (Non-Federal Parcels 4, 6, and 7) include a total of 10 claims. The Little Johnnie Mining Claims consist of 3 contiguous claims totaling 30.273 acres on the unnamed mountain located north of Romley. Elevation ranges from 11,800 feet on the northern end to 10,800 on the southern end. The Romley Mining Claims consist of 7 contiguous claims on the hillslopes directly south of the Romley townsite. County Road 297 traverses the lower or northern portion of these claims which total 49.16 acres. Elevation ranges from about 11,400 feet at the southern end to 10,400 feet at the northern end.
- The Chrysolite Mountain Mining Claims (Non-Federal Parcels 5 and 8 – 11) are a group of 19 contiguous claims totaling 193.581 acres on the summit and eastern slope of Chrysolite Mountain. Forest Service Road 296 (Grizzly Gulch) crosses the Lilly claim at the northern end of the group. Elevation ranges from about 11,000 feet at the northern end (on the Lilly claim) to over 12,800 on the summit of Chrysolite Mountain. Two non-contiguous claims, the Mastiff (10.31 acres) and the Kamkatka (13.426 acres), lie about ¾ mile to the west of the Chrysolite group on the west slope of the mountain.
- The Pomeroy Gulch Mining Claims (Non-Federal Parcels 12 – 18) include 15 mostly contiguous mining claims totaling 156.472 acres. These claims lie on both sides of the ridgeline above and to the west of Pomeroy Gulch as well as in the Gulch itself. Elevation on this group of claims ranges from about 12,200 feet on the Grey Hound northwest of Pomeroy Lake to 11,200 feet where the Little Bonanza crosses the Gulch.
- The Camilia Placer (Non-Federal Parcel 19) is a single, 20 acre placer mining claim located on the west-facing slope to the west of and below Upper Pomeroy Lake. Elevation on the Placer ranges from 12,600 on the northeast corner to 11,800 at the southwest corner.
- The Garfield Mining Claims (Non-Federal Parcels 20, 21 and 22) consist of an assemblage of 14 patented mining claims totaling 131.065 acres. This group of mining claims sits on the southeast slope of Taylor Mountain about 1.5 miles north of Garfield. County Road 228 traverses the southern portion of these parcels and most of the claims are contiguous with one another. Elevation across this group of claims ranges from about 11,400 feet at the southernmost end (on the Zephyr claim) to 12,200 feet on the northern end (on the Little Annie claim).

Acquisition of the offered non-Federal lands is consistent with the guidance provided in the Forest Plan (3 b., c., and e. above). Specifically, all are lands needed to meet resource management goals and objectives. Note that acquiring these properties and any additional patented mining claim in the same area meets the Forest goal and objective to consolidate ownership whenever possible. Most of the properties provide habitat for the threatened Canadian lynx species. In addition, development of any of these properties would negatively impact wildlife habitat and recreational values, including outstanding scenic vistas. Also, in a separate transaction, the mineral interest of the non-Federal mining claims will be donated to the United States to prevent future mineral entry.

Federal Parcel A – Elk Mountain Ranch Parcel:

Federal Parcel A is managed in accordance with Management Prescription 4D. The emphasis for this management prescription is on maintaining and improving aspen sites in order to produce wildlife habitat, wood products, visual quality and plant and animal diversity. Semi-primitive non-motorized and motorized or roaded natural recreation opportunities are available within this prescription area. Federal Parcel A consists of an approximately 14.0 acre parcel surrounding the Futurity Mill Site patented placer claim. Elk Mountain Ranch, a summer guest ranch, is located on the Futurity Mill Site property. The configuration of Federal Parcel A was designed to incorporate a number of improvements and a natural spring which have been authorized under special use permits dating back to 1955. These improvements include a cabin, septic tank and leach field, and a transmission line. The roughly oval-shaped parcel ranges in elevation from 9,400 feet at the northwestern end where Little Bull Gulch flows from the property to 9,560 feet along a ridge at the southern end. Federal Parcel A is adjacent to the Elk Mountain Ranch property, both of which are surrounded by NFS lands.

Disposal of this parcel is particularly desirable because the lands: 1) are a small parcel intermingled with a mineral patent, 2) are suitable for development by the private sector, and development (residential, agricultural, industrial, recreational, etc.) is in the public interest, 3) critical or unique resource (wetlands, floodplains, essential big game winter range, threatened or endangered species habitat, historical or cultural resources, critical ecosystems, etc.) effects are mitigated by the exchange because other critical resources to be acquired are considered to be of equal or greater value.

Federal Parcel B – Treat Ranch Parcel:

Federal Parcel B Sub-Parcel 1 is primarily managed under Management Prescription 6B, which emphasizes livestock grazing, with intensive grazing management systems favored over extensive systems. Sub-Parcel 2 is primarily managed under 5B which emphasizes management of forage and cover on big game winter ranges.

Federal Parcel B totals approximately 521.80 acres and consists of 2 sub-parcels adjacent to the Treat family property located 4.5 miles northeast of Salida, Colorado. These forested parcels lie generally along the ridges and hillslopes to the west and north of the Treat deeded property. Elevation ranges from 9,200 feet where the intermittent Cottonwood Gulch flows from the western end of the Parcel to 10,462 feet at the summit of an unnamed hilltop near the southern end. Generally speaking, the Treat family property abuts Federal Parcel B to the north and east, and NFS lands lie to the south and west of Federal Parcel B.

Disposal of this parcel is particularly desirable because the lands: 1) are small parcels intermingled with a homestead patent, 2) are suitable for development by the private sector, and development (agricultural) is in the public interest, 3) critical or unique resource (potential Boreal Toad habitat) effects are mitigated by the exchange because other critical resources to be acquired are considered to be of equal or greater value.

Federal Parcel C – Smith Ranch Parcel:

Federal Parcel C is managed under Management Prescription 4D. The emphasis for this management prescription is on maintaining and improving aspen sites to produce wildlife habitat, wood products, visual quality and plant and animal diversity.

Federal Parcel C consists of four sub-parcels adjacent to the Smith ranch approximately 4.5 miles south of Poncha Springs, Colorado and totaling approximately 311.47 acres. The two sub-parcels located on the northern boundary of the Smith ranch lie along a moderately sloping south facing hillside sparsely vegetated with juniper, pinon pine, and sagebrush. A barn was erroneously constructed on the southwest corner of one sub-Parcel. A ranch trail crosses the southwest corner of the other sub-Parcel. These sub-parcels range in elevation from 8,640 feet where the main private ranch road crosses the parcel to about 9,400 feet along the northern boundary. The two sub-parcels on the southern boundary of the Smith Ranch have relatively flat topography with open meadow and/or fir and pine forest. An intermittent tributary to Droz Creek flows through the westernmost of these two sub-parcels. Elevation on these sub-parcels ranges from about 8,680 feet to 9,080 feet. Two of the Federal Parcel C sub-parcels (C1 and C2) are bordered by the Smith Ranch to the south, and NFS lands to the north. The remaining two Federal Parcel C sub-parcels (C3 and C4) are bordered by Smith Ranch to the north and east, and by NFS lands to the south and west.

Disposal of this parcel is particularly desirable because the lands: 1) are small parcels intermingled with a homestead patent, 3) are suitable for development by the private sector, and development (agricultural) is in the public interest, 4) critical or unique resource (none known to exist) effects are mitigated by the exchange because other critical resources to be acquired are considered to be of equal or greater value.

Federal Parcel D – Trout Creek Pass (SLB) Parcel:

Federal Parcel D is managed according to Management Prescription 2B, in the southern end, which provides opportunity for outdoor recreation in a roaded natural and rural setting, including developed recreation facilities and year-round motorized and non-motorized recreation. The Northern end of the parcel is managed under Prescription 6B, which emphasizes livestock grazing, with intensive grazing management systems favored over extensive systems.

Federal Parcel D consists of one contiguous parcel totaling approximately 398.76 acres of National Forest land lying west of Highway 285 in the Chubb Park area. This parcel is proposed for conveyance to the State Land Board. The parcel is located west of Trout Creek and includes the relatively flat meadow land along the bottom of Chubb Park. Elevation ranges from 9,320 feet along the western boundary to 9,180 feet along the southeastern boundary. Federal Parcel D lies adjacent to a mix of NFS lands, SLB land, and private lands.

Disposal of this parcel is particularly desirable because the lands: 1) will serve a greater public interest in ownership of the State agency, 2) are small parcels intermingled with Statehood patents, 3) are suitable for development by the private sector, and development (agricultural) is in the public interest, 4) critical or unique resource (none known to exist) effects are mitigated by the exchange because other critical resources to be acquired are considered to be of equal or greater value.

Federal Parcel E – Oyler Cabin Parcel:

Federal Parcel E is managed under Management Prescription 2B, which provides opportunity for outdoor recreation in a roaded natural and rural setting, including developed recreation facilities and year-round motorized and non-motorized recreation.

Federal Parcel E consists of an approximate .31 acre parcel of National Forest land located along the North Fork of the South Arkansas River, north of Maysville, Colorado. This parcel was configured to provide the minimum land necessary to resolve the trespass of a cabin owned by George and Brock Oyler which was partially built on the National Forest. The parcel includes the driveway off the GARMP road and enough area for the Oylers to meet necessary Chaffee County setback and water well requirements. Federal Parcel E is bordered by NFS lands to the west, north, and east. The Oyler private parcel is located to the south.

Disposal of this parcel is particularly desirable because the lands: 1) are a small parcel intermingled a homestead patent, 3) are suitable for development by the private sector, and development (residential) is in the public interest, 4) critical or unique resource (none known to exist) effects are mitigated by the exchange because other critical resources to be acquired are considered to be of equal or greater value.

Although the Forest Plan does not provide guidance with respect to land adjustments specific to each management prescription area, the Forest Plan does provide Forest-wide direction with respect to land adjustments, including relatively clear guidance as to the appropriateness of this exchange, acquisition of the non-Federal parcels and disposal of the Federal parcels. Because disposal of these selected Federal parcels meets at least two of the disposal criteria above, and because acquisition of the non-Federal parcels meets at least three of the acquisition criteria above it would appear that the exchange proposal would be consistent with the Forest Plan.

As part of the environmental analysis process, the Forest Service is inviting public comments regarding this proposed land exchange. All written comments should be sent to: **USDA Forest Service Salida Ranger District, ATTN: Chris Welker, 325 W. Rainbow Blvd, Salida, CO 81201**. You may submit electronic comments under the subject line **SALIDA LAND EXCHANGE** to the following email address: cwelker@fs.fed.us. Comments can be included in the text of the email or attached in one of the following electronic formats: plain text (.txt), rich text format (.rtf), portable document format (.pdf), or Word (.doc). *Comments should be submitted no later than May 30, 2013.* Anyone needing further information should contact Chris Welker at (719) 530-3974.

Thank you for your interest in this project.

Sincerely,


JERRI MARR
Forest Supervisor

cc: Western Land Group, Inc.